R2 File No. 477

1939.

P11

Collection No.

A

CB
22/7/67

Pros. Serial Nos. 1 – 4

(K)

Subject.

Cost of escorting prisoners from Bangalore to Nasik.

Previous References.

25-6/31

219/1900

Later References.

B7 5-33/40

CORRESPONDENCE.

(A) S.N. 8 / F 256-1931 — 1

Endorsement from this Residency No.290 dated the 14th January 1932 communicates an arrangement with the Government of Madras relating to police officials appearing as witnesses before criminal courts.

2

Regarding the conveyance by rail to frontier stations in the Madras Presidency of prisoners arrested in the Station or on railway lands under British jurisdiction, please see orders contained in letter from this Residency No.5921, dated the 2nd December 1903.

(F) ← S.N. 13 / F. 219-1900

3

As regards Bombay, the charges connected with the rendition of criminals are debitable to the State making the demand for extradition. Please see Resolution of the Government of Bombay in the Political Department No.5455, dated the 7th September 1896. In 1901 a proposal was made recommending the adoption of reciprocal arrangement on the lines of the arrangement with Madras. The Bombay Government, however, refused to accept this recommendation. But this arrangement may perhaps be construed to relate to the Presidency and Indian States.

(P) # S.N. 1/a / F. 264-1901

S.N. 9 — do —

S.N. 10 — do —

4

It is not clear whether the Resolution of the Government of Bombay is applicable to surrender of prisoners from the Station and vice versa- apparently there is no material in Commissioner's office to show whether there is any arrangement in force. In a letter from the Superintendent of Police, No.892, dated the 17th March 1900, certain information was furnished on the point. In a case of arrest and conveyance from Deolali (Bombay Presidency) in 1924, this Administration # met the cost.

(C) S.N. 21 / F. 388-1897

(P) # S.N. 21 / F 264-1901 — 5

Please see in this connection the orders of the Government of India contained in No.D.2768-E/31, dated the 27th August 1931. If the cases of such escort as in the present case are not numerous, and the travelling allowance charges payable would not be considerable, it is for consideration

(A) ≠ S.N. 5 / F 256-1931

whether

whether the claim against the Government of Bombay may be foregone. If they are considerable, however, and the cases are numerous, an agreement will have to be arrived at with the Government of Bombay and correspondence will have to be opened with them. In a similar case of escort of a prisoner from Bangalore to Calcutta, it was ordered by this Residency that the cost should be recovered from the Chief Presidency Magistrate, Calcutta.

(Z) S.N.2 F.1017-36

6 Perhaps Commissioner may be requested kindly to offer views in the matter.

Asst. 5-8-39

(from para 1)

7. We can refer to Bombay order 5455 of 7.9.1916 x & say to Bombay Govt. that it appears that the debit should be accepted by them in this case.

x the present case being analogous.

A Rueyar 7/8/39

8 Draft to the Government of Bombay is submitted for approval. After issue, perhaps the file may go u/o. to Commissioner of Police for information.

Asst. 8-8-39

A Rueyar 9/8/39

S. N. (2) issue

OFFICE OF THE HON'BLE THE RESIDENT IN MYSORE, BANGALORE
19 AUG. 1939
Diary No. 8676.
File No.

Commissioner of Police, C. & M. Station Bangalore

u/o. D. No 7721-39/Judl., dated 15th Aug. 1939

The Secretary to the Hon'ble the Resident in Mysore, Bangalore

u/o 4981/Adj/39 dated 17-8-39.

RD 477/39 J.C.

Lord Jeyer 19/8/39

Post 19/8/39

9 No action is necessary. Reply from the Government of Bombay [illegible] may be awaited.

AsRao
21.8.39

22.8.

A.S

A. 12.9.39.

Dy.No.11167. S.N.(3).

c.p.1 - 4/8.

10 Please see S.N.1 and 2.

11. Draft submitted with f.c.

AsRao
11.11.39

11/11

Secy (G): Issue

4.5

A 12.12.39

26.12.39

Record.

AsRao

27.7.39 S.N.1.

OFFICE OF THE COMMISSIONER OF POLICE,
CIVIL AND MILITARY STATION, BANGALORE.

No. 498/Ag.(E.2) Dated 25-7-1939.

28.7.39

OF THE
DENT
ORE.
7721
No.

FROM

J. M. Green, Esquire, I.P.,
COMMISSIONER OF POLICE,
CIVIL AND MILITARY STATION,
BANGALORE.

To

The Secretary to the Hon'ble the Resident in Mysore,

BANGALORE.

SIR,

I have the honour to state that on 18-5-1938, Police Jamadar 503 of Egathpuri Taluk, Nasik District requested assistance of a Bangalore Constable to escort accused ~~Greckson Hearthy~~ Grayson McCarthy concerned in his station crime No.18/1938 whom he arrested here and also the issue of a Railway warrant for the accused.

A constable was accordingly sent from here with Railway Warrants for the Constable and the accused for the outward journey and for the constable for the ~~routing~~ return journey, debiting the cost of Railway Warrants to the Bombay Government. The District Superintendent of Police, Nasik, refuses to accept the debit of cost.

A copy of letter from the District Superintendent of Police, Nasik refusing to accept the debit is herewith sent for favour of information.

S.N.8
F 256-93
(A)

In this connection, I would refer to the correspondence ending with your letter 290/256 of 1931 dated 14th January 1932 communicating copy of letter No.4830-A-2 dated 11th November 1931 from the Government of Madras, in which they intimate that they have entered into a reciprocal arrangement with the Government of India representing the Mysore Assigned Tract, under which Police Officials of one Government appearing as witnesses before criminal courts of the other will be paid Travelling

allowance and batta at their own rates by the Government under whom they are serving. This does not include Police Officials of one Government escorting prisoners of other Governments.

The present case refers to a case of a prisoner escorted to the Bombay Presidency. In the absence of a reciprocal arrangement between that Government and the Mysore Assigned Tract, acceptance of debit by me would be irregular and I request I may kindly be favoured with a ruling.

I have the honour to be,

Sir,

Your most obedient servant,

COMMISSIONER OF POLICE.

Letter No.569 of 1939 dated 20th June 1939 from the District Superintendent of Police, Nasik, to the Commissioner of Police, Civil and Military Station, Bangalore.

Subject: Debit in respect of cost of Railway Warrants.

With reference to your letter No.498/AG (E.2) dated 17-3-39 addressed to the Accountant General, Madras, I have the honour to state that the sum of Rs.24/-9/- being the cost of Railway warrants Nos.70 and 71 issued in favour of Constable No.376 Nizamuddin of Bangalore District is a part of his Travelling allowance. As other expenses of his travelling allowance including daily allowance have been accepted by your district, it is equitable that this charge of his Railway journey ~~was for~~ may also be borne by your District as his journey was for a bonafide public purpose.

2. As regards the cost of Railway warrant for accused Greckson amount to Rs.12/4/6 it is to be borne by the Magistrate concerned.

3. The accompanying two Railway Warrants are, therefore returned to the Accountant General, Bombay, without accepting the debit.

'COPY'

COMMISSIONER OF POLICE

S. N. 2

R.Dis.No. F.477-39 Judl.

From

The Hon'ble Lt. Col. J.H.Gordon, C.I.E., O.B.E., M.C.,
Resident in Mysore.

Issued 12/8/39

To

The Chief Secretary to the Government of Bombay,
Bombay.

Dated Bangalore, the 12th August 1939.

Cost of escorting prisoner from Bangalore.

Sir,

The Commissioner of Police, Civil and Military Station, Bangalore, reports that on 18th May 1938, Police Jamadar 503 of Egathpuri Taluk, Nasik District, asked for a Bangalore Constable to help him escort to Nasik Gregson McCarthy, accused in Crime No.18/1938 of his station, whom he had arrested in the Civil and Military Station, and also for the issue of a Railway warrant for the accused. A constable was accordingly sent from here with Railway Warrants for the Constable and the accused for the outward journey and for the Constable for the return journey, the cost of Railway Warrants being debited to the Bombay Government. The District Superintendent of Police, Nasik, refuses to accept the debit of cost.

2. In accordance with Resolution of the Government of Bombay No.5455, dated the 7th September 1896, it appears that in the present case, which is analogous, the debit should be accepted by the Government of Bombay, and I shall be grateful if instructions can be issued accordingly.

I have the honour to be,
Sir,
Your most obedient servant,

for R E S I D E N T.

KK

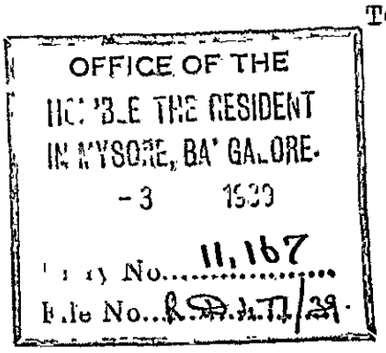
S. N. 3

No. 2427/4-C.
Home Department.
Bombay Castle, 30th October 1939.

From

D. S. Joshi, Esquire, I.C.S.,
Under Secretary to the Government of Bombay,
Home Department.

To



The Honourable the Resident in Mysore,
Bangalore.

Subject:- Prisoner.

McCarthy, Gregson;
acceptance of debit of
cost for escort~~x~~ of ---
from Bangalore to Nasik.

Sir,

S. N. 2
Corr. p. 4

With reference to your letter No. F.477-39/Judl dated the 12th August 1939, on the subject noted above, I am directed to state that the Government of Bombay accepts the charges relating to the escort of prisoner Gregson McCarthy from Bangalore to Nasik. The District Superintendent of Police, Nasik, is being instructed accordingly.

I have the honour to be,
Sir,
Your most obedient servant,

Lowe & Rao

For Under Secretary to the Government of Bombay,
Home Department.

THE OFFICE OF THE HON'BLE THE
RESIDENT IN MYSORE,

Dated Bangalore, the November 1939.

Issue 14/11

Issued 16/11/39

R.Dis.No. F.477-39 Judl.

A copy of the undermentioned paper is forwarded to the Commissioner of Police, Civil and Military Station, Bangalore, with reference to his letter No.498/A.G. dated the 25th July 1939.

S.N.1 Corp.1

By order, etc

for Secretary to the Resident.

Rec S.N.3 Letter from the Government of Bombay No.2427/4-C, dated the 30th October 1939.

11.11.39